

Town of Mashpee

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Planning Board Minutes 07-17-2013

Mashpee Planning Board

Minutes of Meeting

July 17, 2013 at 7:00 p.m.

Wauquoit Meeting Room, Mashpee Town Hall

Approved 8/7/13

Planning Board Members Present: Chairman George Petersen, Dennis Balzarini, David Kooharian, Joe Cummings

Also Present: Tom Fudala-Town Planner

Absent: Mary Waygan, Joe Mullin

CALL TO ORDER

The Town of Mashpee Planning Board meeting was opened with a quorum in the Wauquoit Meeting Room at Mashpee Town Hall by Chairman Petersen at 7:00 p.m. on Wednesday, July 17, 2013 and the Pledge of Allegiance was recited.

APPROVAL OF MINUTES—June 5, 2013, June 19, 2013 & July 3, 2013

Approval of the minutes of June 5 and July 3 were deferred since a quorum of attending members was needed.

MOTION: Mr. Balzarini made a motion to accept the minutes of June 19th as written. Mr. Kooharian seconded the motion. All voted unanimously.

SPECIAL PERMITS

Applicant: Windchime Point Condominium

Request: Permission to remove certain trees. Review of arborist reports, Vice Chair report on June 15 site visit, decisions taken and additional Board action required. (Continued from July 3)

Chairman Petersen noted that Ms. Waygan submitted a report regarding her tree walk with Mr. Fudala at Windchime Point Condominiums. In Ms. Waygan's memorandum, she granted permission to remove trees noted in points 1, 3, 4 and 5. However, Ms. Waygan requested more information from the condominium's arborist regarding the health of the tall pines located on Red Cedar (item #2) and a suggested replacement. Additionally, Ms. Waygan stated that a previous request to remove a tree at 81 Blue Spruce (item #6) was not granted and she again requested input from the arborist regarding the tree's health and its replacement. Although an initial document was received from Windchime's arborist, additional information was requested by the Planning Board, which has not yet been received. Mr. Fudala had been in contact with Mr. Mooney regarding the Board's request. Mr. Fudala did note that the arborist's original document stated that the fir at 81 Blue Spruce was certified dying and should be replaced with a more suitable plant. There was agreement that more information was needed. Mr. Cummings confirmed that Windchime wished to remove the trees at the same time. Chairman Petersen indicated that he would draft an email stating that trees identified in items 1, 3, 4, 5 could be removed but that more information was required for items 2 and 6.

PUBLIC HEARING

7:10 Public hearing regarding approval of name change for a private way at Willowbend from "Postage Stamp Road" to "Eagle Court" (Continued from July 3 at request of residents)

The appointed time having arrived, the public hearing was opened by the Chair. Mr. and Mrs. Donald Rowman, the only year-round residents of the street, were present to discuss the name change. Mr. Rowman described the street as unplowed and 50 yards long, ending in a locked gate. Mr. Rowman currently had an address of 52 Eagle Drive and expressed concern regarding the challenge of changing 49 documents and correspondences to another address, after having moved to the home just one year ago. The Chairman read Mr. Nicholson's memo indicating that the road name would be changed to Eagle Court, at the request of the homeowners and in place of Postage Stamp Road, and confirmed that the Mashpee Address Working Group had approved the name. Mr. Rowman requested that their house number remain as 52 and Mr. Fudala responded that the Planning Board could not make that decision but that he had requested that Mr. Nicholson consider maintaining the house number. Mr. Fudala

recommended that the Rowmans also contact Mr. Nicholson about the house number. Ms. Rowman inquired whether the Board would consider Old Eagle Court but it was noted that the name violated the naming policy.

Regarding the history of Postage Stamp Road, Mr. Fudala reported that it was originally created in 1987 for the Willowbend subdivision, with a different lot layout, intercepting Prestwick Road. In 1993, a revised subdivision plan lumped Postage Stamp Road into a condominium lot and the road disappeared, but was designated as a 16 foot wide driveway, eventually being changed to Eagle Drive. Ms. Rowman inquired whether their mailbox could be located on their existing street and it was noted that it would be the responsibility of the post office.

MOTION: Mr. Balzarini made a motion to close the public hearing. Mr. Kooharian seconded the motion. All voted unanimously.

MOTION: Mr. Balzarini made a motion to change the name from Post Stamp Road to Eagle Court with the stipulation that the Rowmans maintain number 52 on their post box. Mr. Kooharian seconded the motion. All voted unanimously.

BOARD ITEMS

Old Business

Discussion of Greenways Proposal and Surrounding Commercial Property-No update

MMR Military Civilian Community Council-Update of MMR Joint Land Use Study

Mr. Fudala provided a draft JLUS matrix to Board members describing the different regionalization facilities and their status.

Design Review Committee-Mr. Cummings reported that NStar would be installing a new transformer with plans to address the Board of Selectmen, ideally with the support of the Planning Board and ZBA, seeking Mashpee support as they would also appear before DPU due to the height of the transmission lines. The Fire Department requested a State ruling on the storage of oil. Design/Review has asked that the site be vegetated and NStar has expressed a willingness to do so. Mr. Fudala confirmed that additional power lines were needed to connect the transformers and should be the same height as the existing power line. Mr. Fudala also stated that the Department of Public Utilities could grant a waiver from all local zoning regulations, but they will appeal to the Town in order to satisfy local concerns. Mr. Cummings reported that the site would be close to houses facing the site and it was noted that there was also a turtle habitat area. Mr. Fudala added that a new access road was also being proposed.

Community Preservation Committee-No update

Environmental Oversight Committee-The Chair reported that Harwich and Falmouth had developed fertilizer bylaws but that the State had trumped municipalities' ability to restrict the use of fertilizers. However, a local representative had inserted an exemption allowing communities with the bylaw to remain in place. Mr. Fudala reported that the Cape Cod Commission was seeking to designate Cape Cod as a DCPC in order to adopt nitrogen/fertilizer regulations to allow all towns to adopt regulations. The Chair stated that the EOC planned to draft a letter requesting that the Board of Selectmen would request that the Cape Cod Commission do so.

Historic District Commission- No update

New Business

C. Rowley Expense Vouchers-Not at this time.

DISCUSSION

MOTION: Mr. Balzarini made a motion to put on the agenda the filing of Special Permit Application and Definitive Subdivision Plan. Mr. Kooharian seconded the motion. All voted unanimously.

MOTION: Mr. Balzarini made a motion to schedule a public hearing on August 21st at 7:10 p.m. for BCDM, LLC for a 16-lot cluster subdivision on Blue Castle Drive. Mr. Kooharian seconded the motion. All voted unanimously.

There was discussion about upcoming coastal training courses. The Chair will forward the email to Planning Board members as only he and Mr. Fudala had signed up to attend from Mashpee.

WATERWAYS LICENSES

None at this time

CORRESPONDENCE

- Whitewater, Inc. – May 2013 SouthCape Village WWTP monitoring report – N=7.3 mg/l
- Cape Cod Commission – Notice of amendments to Enabling Regulations Governing Review of DRIs
- FEMA – 7/5/13 letter regarding notice of proposed flood hazard determinations and appeal process
- Coastal Engineering Co. – Environmental Notification Form, Richard Cook Proposed Shellfish Grants in Popponesset Bay

ADJOURNMENT

MOTION: Mr. Balzarini made a motion to adjourn. Mr. Kooharian seconded the motion. All voted unanimously. The meeting adjourned at 7:40 p.m.

Respectfully submitted,

Jennifer M. Clifford
Board Secretary

LIST OF DOCUMENTS

- Mary Waygan Memo Regarding Windchime Tree Report
- Clayson Nicholson Memo Regarding Postage Stamp Road
- Postage Stamp Road Public Hearing Notice
- MMR JLUS Update-Shared Service Concept Plans
- CPTC Courses
- Cape Cod Commission-Amended Chapter A, Enabling Regulations Governing Review of DRI
- An Act Promoting the Planning & Development of Sustainable Communities